

C. REMARKS

The Examiner is thanked for the performance of a thorough search. No claims have been canceled or added in this reply. Hence, Claims 1-26 are pending in this application. The specification has been amended to address various informalities raised by the Examiner. The amendments to the specification and claims do not add any new matter to this application. All issues raised in the Office Action mailed February 22, 2007 are addressed hereinafter.

OBJECTION TO SPECIFICATION

The specification is objected to on the basis that various informalities are requested to be corrected. The specification has been amended as indicated herein to address these issues. Accordingly, reconsideration and withdrawal of the objection to the specification is respectfully requested.

OBJECTION TO CLAIM 1

Claim 1 is objected to because of various informalities that have now been corrected by amendment, as indicated herein. Accordingly, reconsideration and withdrawal of the objection to Claim 1 is respectfully requested.

REJECTION OF CLAIMS 12 AND 16-26 UNDER OBVIOUSNESS-TYPE DOUBLE PATENTING

Claims 12 and 16-26 are rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-15 of co-pending U.S. Patent Application No. 10/776,485. A proper terminal disclaimer complying with 37 CFR 3.73(b) is filed herewith. Accordingly, reconsideration withdrawal of this double patenting rejection is respectfully requested.

REJECTION OF CLAIMS 1-26 UNDER 35 U.S.C. § 101

Claims 1-26 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter on that basis that the claimed inventions do not provide a useful, concrete and tangible result.

As stated in the background portion of the present application, some multi-function peripherals (MFPs) are being implemented with sophisticated computing architectures, complete with microprocessors, volatile memory and non-volatile memory. Many MFPs include network interfaces and some even include Web servers. The network connectivity exposes MFPs to viral infection, which can have significant adverse effects on business organizations.

Claims 1-7 recite an MFP that includes a network interface, a graphical user interface, one or more processors, a memory and a scan process, a print process and a virus protection process executing in the memory on the MFP. The virus protection process is configured to detect that a request for data to be analyzed for viral infection has been received by the MFP over a network from a network device. In response to detecting the request, the virus protection process causes the data to be provided from the MFP to the network device to enable the data to be analyzed for viral infection at the network device.

It is respectfully submitted that the MFP as recited in Claims 1-7 provides a useful result because in some situations it is useful to have data on an MFP analyzed for viral infection on another network device to be. For example, it may be useful for the network device to analyze data from several MFPs to aid in analyzing the distribution pattern or other characteristics of a virus. It is therefore respectfully submitted that the MFP recited in Claims 1-7 provides a useful result. It is also respectfully submitted that the MFP recited in Claims 1-7 provides a concrete and tangible result. The concrete and tangible result is that the data is transmitted from the MFP to the network device over the network to enable the data to be analyzed for viral infection at the network device. It is therefore respectfully submitted that the MFP recited in Claims 1-7 also provides a concrete and tangible result.

Claims 8-11 recite an MFP that includes a network interface, a graphical user interface, one or more processors, a memory and a scan process, a print process and a virus protection process executing in the memory on the MFP. The virus protection process is configured to examine data received by the MFP and determine whether the data contains one or more unauthorized instructions. If so, then the virus protection process performs one or more actions on the data to protect the MFP. It is respectfully submitted that the MFP as recited in Claims 8-11 provides a useful result because if data received by the MFP contains one or more unauthorized instructions that may, for example, represent viral code, it is useful to perform one or more actions on the data to protect the MFP against viral infection. It is also respectfully

submitted that the MFP recited in Claims 8-11 provides a concrete and tangible result. One concrete and tangible result is that if the data contains one or more unauthorized instructions that may, for example, indicate that the data has been infected, then one or more actions are performed on the data to protect the MFP against viral infection. It is therefore respectfully submitted that the MFP recited in Claims 8-11 also provides a concrete and tangible result.

Claims 12-26 recite an MFP that includes a network interface, a graphical user interface, one or more processors, a memory and a scan process, a print process and a virus protection process executing in the memory on the MFP. The virus protection process is configured to examine data that is to be sent from the MFP to a network device over a network prior to the data being sent. If the virus protection process determines that the data contains one or more unauthorized instructions, then the virus protection process performs one or more actions. It is respectfully submitted that the MFP as recited in Claims 12-26 provides a useful, concrete and tangible result because if data on the MFP that is to be send to a network device contains one or more unauthorized instructions that may indicate, for example, that the data has been contaminated by a virus, then one or more actions are performed on the data. As indicated in the dependent Claims 13-26, this may include, for example, not sending the data to the network device, rendering the data inaccessible or undoing changes made by execution of the unauthorized instructions.

In view of the foregoing, it is believed that Claims 1-26, as amended, fully satisfy the requirements of 35 U.S.C. § 101. Accordingly, reconsideration withdrawal of the rejection of Claims 1-26 under 35 U.S.C. § 101 is respectfully requested. If the Examiner believes that the claims, as amended, still are not directed to statutory subject matter, then the Examiner is invited to contact the undersigned directly via telephone to discuss the issues if the Examiner believes that such contact would be helpful for resolving any remaining issues under 35 U.S.C. § 101.

REJECTION OF CLAIMS 1-3, 7, 8, 10-16, 19 AND 21 UNDER 35 U.S.C. § 102(b)

Claims 1-3, 7, 8, 10-16, 19 and 21 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Boldon et al.*, U.S. Patent Publication No. 2003/0048468 (hereinafter "*Boldon*"). It is respectfully submitted that Claims 1-3, 7, 8, 10-16, 19 and 21, as amended, are patentable over *Boldon* for at least the reasons provided hereinafter.

CLAIM 1

Claim 1 is directed to a multi-function peripheral device and recites:

“a network interface configured to allow the multi-function peripheral device to communicate with network devices over a network;
a graphical user interface configured to allow for the exchange of information between the multi-function peripheral device and a user;
one or more processors;
a memory;
a scan process executing in the memory and being configured to cause a printed document to be scanned at the multi-function peripheral device and to generate scan data that includes a digital data representation of the electronic document;
a print process executing in the memory and being configured to process print data and cause a printed version of an electronic document reflected in the print data to be generated by the multi-function peripheral device at the multi-function peripheral device; and
a virus protection process executing in the memory and being configured to perform the steps of:
detecting that a request for data to be analyzed for viral infection has been received by the multi-function peripheral device over the network from a network device; and
in response to detecting receipt of the request, causing the data to be provided from the multi-function peripheral device to the network device over the network to enable the data to be analyzed for viral infection at the network device.”

The multi-function peripheral (MFP) device recited in Claim 1 includes a scan process, a print process and a virus protection process that execute in a memory of the multi-function peripheral device to provide scanning, printing and virus protection services. Providing all of these services in a single multi-function peripheral device provides many benefits. The virus protection process is MFP recited in Claim 1 is configured to detect that a request for data to be analyzed for viral infection has been received by the MFP over the network. In response to detecting the request, the virus protection process causes the data to be provided from the MFP to the network device over the network to enable the data to be analyzed for viral infection at the network device. One of the benefits of this approach is that it allows data from several MFPs to be analyzed at a central location, which can aid in analyzing the distribution pattern or other characteristics of a virus.

One significant difference between the MFP device recited in Claim 1 and *Boldon* is that *Boldon* does not teach or suggest that the sending of the print job to the printing device is ever done in response to the sender of the print job receiving a request for the data to be analyzed for viral infection from the printing device. There is no indication in *Boldon* that a printing device ever requests that an originator of a print job send the print job to the printing device so that the print job can be analyzed for viral infection. In *Boldon*, print jobs are sent by senders to be printed at the printing devices. It is therefore respectfully submitted that at least the Claim 1 limitations “detecting that a request for data to be analyzed for viral infection has been received by the multi-function peripheral device over the network from a network device” and “in response to detecting receipt of the request, causing the data to be provided from the multi-function peripheral device to the network device over the network to enable the data to be analyzed for viral infection at the network device” are not taught or suggested by *Boldon* and that Claim 1 is therefore patentable over *Boldon*.

CLAIMS 2, 3 AND 7

Claims 2, 3 and 7 all depend from Claim 1 and include all of the limitations of Claim 1. It is therefore respectfully submitted that Claims 2, 3 and 7 are patentable over *Boldon* for at least the reasons set forth herein with respect to Claim 1. Furthermore, it is respectfully submitted that Claims 2, 3 and 7 recite additional limitations that independently render them patentable over *Boldon*.

CLAIMS 8, 10 AND 11

Claim 8 is directed to a multi-function peripheral device and recites:

- “a network interface configured to allow the multi-function peripheral device to communicate with network devices over a network;
- a graphical user interface configured to allow for the exchange of information between the multi-function peripheral device and a user;
- one or more processors;
- a memory;
- a scan process executing in the memory and being configured to cause a printed document to be scanned at the multi-function peripheral device and to generate scan data that includes a digital data representation of the electronic document;
- a print process executing in the memory and being configured to process print data and cause a printed version of an electronic document reflected in the print data to be

generated by the multi-function peripheral device at the multi-function peripheral device; and
a virus protection process executing in the memory and being configured to, upon receipt of data by the multi-function peripheral device,
examine the data to determine whether the data contains one or more
unauthorized instructions; and
in response to determining that the data contains one or more unauthorized instructions, perform one or more actions on the data to protect the multi-function peripheral device.”

It is respectfully submitted that Claim 8 recites one or more limitations that are not taught or suggested by *Boldon*. One distinction between the multi-function peripheral device recited in Claim 8 and the approach described in *Boldon* is that the printing devices described in *Boldon* are not the same as the multi-function peripheral device recited in Claim 8 since the printing devices of *Boldon* do not have both a scan process, a print process and a virus protection process executing in a memory on a single multi-function peripheral device. It is therefore respectfully submitted that Claim 8 is patentable over *Boldon*. Claims 10 and 11 depend from Claim 8 and include all of the limitations of Claim 8 and are therefore patentable over *Boldon* for at least the reasons set forth herein with respect to Claim 8.

CLAIMS 12-16, 19 AND 21

Claim 8 is directed to a multi-function peripheral device and recites:

“a network interface configured to allow the multi-function peripheral device to communicate with network devices over a network;
a graphical user interface configured to allow for the exchange of information between the multi-function peripheral device and a user;
one or more processors;
a memory;
a scan process executing in the memory and being configured to cause a printed document to be scanned at the multi-function peripheral device and to generate scan data that includes a digital data representation of the electronic document;
a print process executing in the memory and being configured to process print data and cause a printed version of an electronic document reflected in the print data to be generated by the multi-function peripheral device at the multi-function peripheral device; and
a virus protection process executing in the memory and being configured to, prior to sending data from the multi-function peripheral device to a network device over a network,
examine the data to determine whether the data contains one or more
unauthorized instructions; and

in response to determining that the data contains one or more unauthorized instructions, perform one or more actions.”

It is respectfully submitted that Claim 8 recites one or more limitations that are not taught or suggested by *Boldon*. It is understood from the Office Action that the printing device of *Boldon* is considered to be the “multi-function peripheral device” recited in Claim 12. Given this application of *Boldon* to Claim 12, it is respectfully submitted that at least the Claim 12 limitations “prior to sending data from the multi-function peripheral device to a network device over a network, examine the data to determine whether the data contains one or more unauthorized instructions; and in response to determining that the data contains one or more unauthorized instructions, perform one or more actions” are not taught or suggested by *Boldon* because *Boldon* does not teach or suggest that the printing device ever sends print jobs to other network devices. It is therefore respectfully submitted that Claim 12 recites one or more limitations that are not taught or suggested by *Boldon*. Claims 13-16, 19 and 21 depend from Claim 12 and include all of the limitations of Claim 12 and are therefore patentable over Claim 12 for at least the reasons set forth herein with respect to Claim 12.

In view of the foregoing, it is respectfully submitted that Claims 1-3, 7, 8, 10-16, 19 and 21 are patentable over *Boldon*. Accordingly, reconsideration and withdrawal of the rejection of Claims 1-3, 7, 8, 10-16, 19 and 21 under 35 U.S.C. § 102(b) as being anticipated by *Boldon* is respectfully requested.

REJECTION OF CLAIMS 4-6 UNDER 35 U.S.C. § 103(a)

Claims 4-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Boldon* in view of *Kouznetsov*, U.S. Patent Publication No. 2004/0025042. It is respectfully submitted that Claims 4-6 are patentable over *Boldon* and *Kouznetsov*, alone or in combination, for at least the reasons provided hereinafter.

Claims 4-6 depend from Claim 1 and include all of the limitations of Claim 1. As previously set forth herein, *Boldon* does not teach or suggest that the sending of the print job to the printing device is ever done in response to the sender of the print job receiving a request for the data to be analyzed for viral infection from the printing device. It is also respectfully submitted that these limitations are also not taught or suggested by *Kouznetsov* and it is recognized that *Kouznetsov* was not relied upon for teaching these limitations. It is therefore

respectfully submitted that Claims 4-6 are not taught or suggested by *Boldon* and *Kouznetsov*, considered alone or in combination, and are patentable over *Boldon* and *Kouznetsov*.

Accordingly, reconsideration and withdrawal of the rejection of Claims 4-6 under 35 U.S.C. § 103(a) as being unpatentable over *Boldon* in view of *Kouznetsov* is respectfully requested.

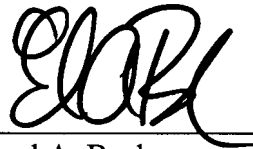
CONCLUSION

It is respectfully submitted that all of the pending claims are in condition for allowance and the issuance of a notice of allowance is respectfully requested. If there are any additional charges, please charge them to Deposit Account No. 50-1302.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that such contact would be helpful in furthering the prosecution of this application.

Respectfully submitted,

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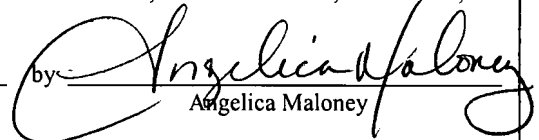
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on April 17, 2007

by



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